

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

In the Matter of:
West Leyden Post Office
West Leyden, New York 13489

Docket No. A2011-96

UNITED STATES POSTAL SERVICE
COMMENTS REGARDING APPEAL
(November 22, 2011)

On September 28, 2011, the Postal Regulatory Commission (Commission) received a petition for review postmarked September 21, 2011, from the Town Board of the Town of Lewis ("Petitioner") objecting to the discontinuance of the Post Office at West Leyden, NY. On September 30, 2011, the Commission issued Order No. 889, its Notice and Order Accepting Appeal and Establishing Procedural Schedule under 39 U.S.C. § 404(d). The Petitioner filed a Participant Statement in support of the petition on November 2, 2011. In accordance with Order No. 889, the administrative record was filed with the Commission on October 13, 2011.

The appeal and the Participant Statement raise four issues: (1) the impact on the provision of postal services, (2) the impact upon the West Leyden community, (3) the calculation of economic savings expected to result from discontinuing the West Leyden Post Office, and (4) procedural issues. As reflected in the administrative record of this proceeding, the Postal Service gave each of the first three issues serious consideration, and the Postal Service addresses concerns about procedures. In addition, consistent with the Postal Service's statutory obligations and Commission precedent,¹ the Postal Service gave consideration to a number of other issues,

¹See 39 U.S.C. 404(d)(2)(A).

including the impact on employees. Accordingly, the determination to discontinue the West Leyden Post Office should be affirmed.

Background

The Final Determination To Close the West Leyden Post Office and Extend Service by Rural Route Service (“Final Determination” or “FD”),² as well as the administrative record, indicate that the West Leyden Post Office provides EAS-13 level service to 165 post office box or general delivery customers and 138 delivery customers from 7:30 a.m. to 11:30 a.m. and 1:00 p.m. to 4:45 pm, Monday through Friday, and 8:30 a.m. to 11:30 a.m. Saturdays, with lobby hours from 7:30 a.m. to 5:00 p.m., Monday through Friday, and 8:30 a.m. through 11:30 a.m. on Saturdays.³ The Postmaster of the West Leyden Post Office retired on January 1, 2009. Since the Postmaster vacancy, an officer-in-charge (“OIC”) has been installed to operate the office. The noncareer postmaster relief (“PMR”) serving as the OIC may be separated from the Postal Service, although attempts will be made to reassign the OIC to a nearby facility.⁴ The average number of daily retail window transactions at the West Leyden Post Office is 21, accounting for 26 minutes of workload daily. Revenue has declined since 2008: \$44,260 (115 revenue units) in FY 2008; \$40,481 (106 revenue units) in FY 2009; and \$41,807 (109 revenue units) in FY 2010.⁵

²The Final Determination can be found at Item 47 in the Administrative Record. All citations to the Final Determination will be to “FD at _____,” rather than to Item 47. The FD page number refers to the pages as marked on the upper right of the document. Other items in the administrative record are referred to as “Item _____.”

³FD at 2; Item No. 9, Workload Service Credit Worksheet; Item No. 15, Post Office Survey, at 1; Item No. 18, (Form 4920) Post Office Closing or Consolidation Proposal Fact Sheet (“Post Office Fact Sheet”), at 1; Item No. 33, Proposal to Close the West Leyden, NY Post Office and Extend Service by Rural Route Service (“Proposal”), at 2, 8; Item No. 41, Revised Proposal, at 2, 11; Item No. 42, Revised Post Office Fact Sheet.

⁴FD at 2, 11, 12; Item No. 18, Post Office Fact Sheet; Item No. 21, Letter to Postal Customer from Manager, Post Office Operations (“Letter to Customer”), at 1; Item No. 33, Proposal, at 2, 8; Item No. 41, Revised Proposal, at 2, 11; Item No. 42, Revised Post Office Fact Sheet.

⁵FD at 2; Item No. 18, Post Office Fact Sheet, at 1; Item No. 33, Proposal, at 2; Item No. 41, Revised Proposal, at 2; Item No. 42, Revised Post Office Fact Sheet.

Upon implementation of the Final Determination, delivery and retail services will be provided by rural route service⁶, under the administrative responsibility of the Boonville Post Office, an EAS-18 level office located seven miles away, which has 238 available Post Office Boxes.⁷ This service will continue upon implementation of the Final Determination.⁸

The Postal Service followed the proper procedures that led to the posting of the Final Determination. All issues raised by the customers of the West Leyden Post Office were considered and properly addressed by the Postal Service. The Postal Service complied with all notice requirements. In addition to the posting of the Proposal and Final Determination, customers received notice through other means. Questionnaires were distributed to all Post Office Box customers of the West Leyden Post Office. Questionnaires were also available over the counter for retail customers at West Leyden.⁹ A letter from the Manager of Post Office Operations, Albany, New York, was also made available to postal customers, which advised customers that the Postal Service was evaluating whether the continued operation of the West Leyden Post Office was warranted, and that effective and regular service could be provided by rural route service emanating from the Boonville Post Office. The letter invited customers to complete and return a customer questionnaire and to express their opinions about the service that they were receiving and the effects of a possible change involving rural route service.¹⁰ One hundred eighteen (118) customers returned questionnaires, and

⁶ West Leyden already has some rural delivery via an Intermediate Rural Route from another office. Item No. 1, Approval to Study for Discontinuance.

⁷FD at 2; Item No. 18, Post Office Fact Sheet, at 1; Item No. 33, Proposal, at 2; Item No. 41, Revised Proposal, at 2; Item No. 42, Revised Post Office Fact Sheet.

⁸FD at 2; Item No. 33, Proposal, at 1; Item No. 41, Revised Proposal, at 1.

⁹FD at 2; Item No. 20, Questionnaire Instruction Letter from P.O. Review Coordinator to OIC/Postmaster at West Leyden Post Office; Item No. 33, Proposal, at 2; Item No. 41, Revised Proposal, at 2.

¹⁰Item No. 21, Letter to Customer, at 1; Item No.23, Customer Questionnaire Analysis, at 1.

the Postal Service responded.¹¹ In addition, representatives from the Postal Service were available at the West Leyden Post Office lobby (Open House style format) on May 12, 2011, to answer questions and provide information to customers—a fact that was mentioned in the letter to customers and was announced in a poster, as well. Thirty-five customers attended.¹² Customers received formal notice of the Proposal and Final Determination through postings at nearby facilities. The Proposal was posted with an invitation for public comment at the West Leyden Post Office and the Boonville Post Office for 60 days beginning May 28, 2011 and ending July 29, 2011.¹³

Forty-one customers returned comments in response to the “Invitation for Comments,” after the Proposal was posted.¹⁴ The Postal Service addressed those concerns in letters to customers.¹⁵ The Final Determination was posted at the West Leyden and Boonville Post Offices beginning on August 25, 2011 and ending September 26, 2011, as confirmed by the round-dated Final Determination cover sheets that appear in the administrative record as Item No. 49.

In light of a Postmaster vacancy; minimal workload; low and decreasing office revenue;¹⁶ the variety of delivery and retail options, including the convenience of rural delivery and retail service;¹⁷ no projected population, residential, commercial, or business growth in the area;¹⁸ minimal impact upon the community; and the expected financial savings,¹⁹ the Postal Service issued the Final Determination.²⁰ Regular and

¹¹FD at 2; Item No. 22, Returned customer questionnaires and Postal Service response letters.

¹²FD at 2; Item No. 21, Letter to Customer, at 1, 5; Item No. 24; Community Meeting Roster, at 1-2; Item No. 25, Community Meeting Analysis, at 1, 2; Item No. 33, Proposal, at 2; Item No. 41, Revised Proposal, at 2.

¹³FD at 2; Item No. 36, Round-date Stamped Proposals.

¹⁴Item No. 38, Customer Comments and USPS Response Letters; Item No.40, Analysis of Comments.

¹⁵Item No. 38, Customer Comments and USPS Response Letters, at 67-119.

¹⁶See note 5 and accompanying text.

¹⁷FD at 2, 4, 6, 8; Item No, 33, Proposal, at 2, 4, 5, 6; Item No. 41, Revised Proposal, at 3, 4, 5, 8.

¹⁸Item No. 16, Community Survey Sheet, at 1.

¹⁹FD at 10, 11; Item No.18, Post Office Fact Sheet, at 1, 2 ; Item No. 29, Proposal Checklist, at 2; Item No. 33, Proposal, at 8; Item No. 41, Revised Proposal, at 11; Item 42, Revised Post Office Fact Sheet.

²⁰FD at 12.

effective postal services will continue to be provided to the West Leyden community in a cost-effective manner upon implementation of the final determination.²¹

Each of the issues raised by the Petitioner is addressed in the paragraphs which follow.

Effect on Postal Services

Consistent with the mandate in 39 U.S.C. § 404(d)(2)(A)(iii) and as addressed throughout the administrative record, the Postal Service considered the effect of closing the West Leyden Post Office on postal services provided to West Leyden customers. The closing is premised upon providing regular and effective postal services to West Leyden customers.

The Petitioner raises the issue of the effect on postal services of the West Leyden Post Office's closing, noting the convenience of the West Leyden Post Office and requesting its retention. Petitioner contends that due to the heavy snowfall in West Leyden, many of the residents have Post Office boxes and will have no place to put a mail box. See Appeal and Participant Statement. Petitioner also expresses concern about obstruction of mailboxes in the wintertime due to accumulation of snow. Id.

Here, the Postal Service explained that delivery options for West Leyden residents include rural carrier services (carriers can perform many functions that will avert the need to go to any Post Office) and the availability of P.O. Boxes and other postal services at the Boonville Post Office. Further, the Postal Service explained that rural carriers are required to provide a vehicle of adequate size, equipped with necessary equipment to serve the route safely and efficiently in inclement weather; and the Postal Service is expanding delivery services in some locations to include centralized delivery services. FD at 2, 4, 9; Item No. 22, Returned Optional Comment

²¹FD at 2.

Forms and USPS Response letters, at 264, 265, 274, 281, 306, 308, 329, 338, 351, 361, 372, 375, 380; Item. No. 23, Customer Questionnaire Analysis, at 1, 3; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3, 5; Item No. 38, Customer Comments and USPS Response Letters, 88, 119; Item No. 40, Analysis of Comments, at 2, 5, 7; Item No. 41, Revised Proposal, at 3, 4, 5. Moreover, while not directly addressed in the record, the Postal Service notes that safety of customer access is routinely considered in connection with curbside delivery. Specifically, Postal Operations Manual § 631.32 provides that “Delivery may be provided to boxes at the curb so they can be safely and conveniently served by the carrier from the carrier’s vehicle, and so that customers have reasonable and safe access. Mail receptacles may be grouped, two to a property line where possible.”

Petitioner also contends that service through the Boonville Post Office will not provide the maximum degree of effective postal services because customers should not have to travel several miles to Boonville to conduct postal transactions. See Petitioner’s Statement. The Postal Service explained, however, that upon the implementation of the Final Determination, delivery and retail services will be provided by rural route services under the administrative responsibility of the Boonville Post Office. In addition to rural route services, which is the recommended alternate service, customers may also receive postal services at the Boonville Post Office, which is located seven miles away. The window service hours of the Boonville Post Office are from 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 5:00 p.m., Monday through Friday, and from 9:00 a.m. to 12:00 p.m. on Saturdays. FD at 2; Item No. 21, Letter to Customer, at 1; Item No. 33, Proposal, at 2, 8; Item No. 41, Revised Proposal, at 2. Furthermore, the special attention and assistance provided by the personnel at the West Leyden Post Office will be provided by personnel at the Boonville Post Office and from the carrier. FD at 5, 7; Item No. 22,

Returned Optional Comment Forms and USPS Response letters, at 275, 352, 375; Item No. 23, Customer Questionnaire Analysis, at 2; Item No. 33, Proposal, at 2, 3; Item No. 38, Customer Comments and USPS Response Letters, at 101, 115, 116; Item No. 40, Analysis of Comments, at 4; Item No. 41, Revised Proposal, at 3. With the exception of P.O. Box customers or situations in which customers need to retrieve a package that does not fit in a roadside box and is not eligible to be placed somewhere safely in their home (such as on a porch or under a carport), the choice of Boonville over any other Post Office does not have a large impact. As explained throughout the administrative record, carriers can perform many functions (at the same time that the carrier delivers the mail) that will avert the need to go to any Post Office, Boonville or otherwise, or even having to interact with a carrier for most postal transactions.

Petitioner also expresses concern for senior citizens and the disabled. The Postal Service explained that carrier service is especially beneficial to many senior citizens and those who face special challenges because the carrier can provide delivery and retail services to roadside mailboxes or cluster box units. FD at 4, 7, 9; Item 22, Returned Optional Comment Forms and USPS Response letters, at 259, 261, 269, 283, 323, 332, 342, 369; Item No. 23, Customer Questionnaire Analysis, at 1, 3; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3, 5; Item No. 41, Revised Proposal, at 3, 5. Customers do not have to make a special trip to the Post Office for service. Stamps by Mail and Money Order Application forms are available for customer convenience, and stamps are also available at many stores and gas stations, online at usps.com, or by calling 1-800-STAMP-24. FD at 8; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 269, 278, 285, 287, 289, 295, 299, 309, 311, 313, 336, 338, 341, 354, 365, 373; Item No. 38, Customer Comments and USPS Response Letters, at 76, 82, 84, 85, 88, 89, 92, 95, 96, 107, 108, 109, 111, 115,

117, 119; Item No. 40, Analysis of Comments, at 2; Item No. 41, Revised Proposal, at 4. Customers can also request special services, such as certified, registered, or Express Mail, delivery confirmation, signature confirmation, and COD from the carrier. FD at 3 4, 6, 7, 8; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 216, 299, 322, 337, 348, 352, 375, 380; Item No. 23, Customer Questionnaire Analysis, at 1, 2, 3; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3, 4, 5; Item No. 38, Customer Comments and USPS Response Letters, at 88, 92, 117, 119; Item No. 40, Analysis of Comments, at 1; Item No. 41, Revised Proposal, at 3, 4, 5, 8. Customers who desire such special services may leave a note in their box instructing the carrier to sound the horn and then meet the carrier to receive the services, or may leave a note with payment and the carrier will leave a receipt the next day. FD at 8; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 337, 348, 352, 380; Item No. 33, Proposal, at 4, 5; Item No. 38, Customer Comments and USPS Response Letters, at 117; Item No. 40, Analysis of Comments, at 1; Item No. 41, Revised Proposal, at 4, 5.

Further, most transactions do not require meeting the carrier at the mailbox. FD at 6, 8; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 269, 278, 285, 287, 289, 295, 299, 309, 311, 312, 313, 336, 337, 338, 341, 348, 352, 354, 365, 373, 380; Item. No. 23, Customer Questionnaire Analysis, at 1, 3; Item No. 25, Community Meeting Analysis, at 1, Item No. 33, Proposal, at 2; Item No. 38, Customer Comments and USPS Response Letters, at 69, 76, 82, 84, 85, 88, 89, 92, 95, 96, 107, 108, 109, 111, 115, 117, 119; Item No. 40, Analysis of Comments, at 1, 2, 3; Item No. 41, Revised Proposal, at 3, 4, 5. Special provisions are made, on request, for hardship cases or special customer needs. FD at 4, 7, 9; Item 22, Returned Optional Comment Forms and USPS Response letters, at 259, 261, 269, 283, 323, 332, 342,

369; Item No. 23, Customer Questionnaire Analysis, at 1, 3; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 3, 5; Item No. 41, Revised Proposal, at 3, 5.

Petitioner also raises the issue of security, noting that a Post Office offers the most security. See appeal. With respect to the Petitioners' concerns about mail security, the Postal Service advised customers that they may place a lock on their mailboxes. The mailbox must have a slot large enough to accommodate the customer's normal daily mail volume. FD at 8; Item 22, Returned Optional Comment Forms and USPS Response letters, at 326; Item No. 23, Customer Questionnaire Analysis, at 2; Item No. 25, Community Meeting Analysis, at 1; Item No. 33, Proposal, at 4; Item No. 38, Customer Comments and USPS Response Letters, at 90, 95, Item No. Analysis of Comments, at 2; Item No. 41, Revised Proposal, at 4. The Postal Service also sent a questionnaire to the Postal Inspection service concerning mail theft and vandalism in the Post Office area. That agency's records indicate that there have been two reports of mail theft or vandalism in the area, which is fairly minimal. Item No. 14, Inspection Service Vandalism Report, at 1.

Thus, the Postal Service has properly concluded that all West Leyden customers will continue to receive regular and effective service via rural route service.

Effect Upon the West Leyden Community

The Postal Service is obligated to consider the effect of its decision to close the West Leyden Post Office upon the West Leyden community. 39 U.S.C.

§ 404(d)(2)(A)(i). While the primary purpose of the Postal Service is to provide postal services, the statute recognizes the substantial role in community affairs often played by local Post Offices, and requires consideration of that role whenever the Postal Service proposes to discontinue a Post Office.

West Leyden is an unincorporated community located in Lewis County. The community is administered politically by Town supervisor. The Sheriff's Department provides police protection, and fire protection is provided by the West Leyden Fire Department. FD at 9; Item No. 16, Community Survey Fact Sheet, at 1; Item No.33, Proposal, at 7; Item No. 41, Revised Proposal, at 9. The questionnaires completed by West Leyden customers indicate that, in general, the retirees, farmers, commuters, and others who reside in West Leyden must travel elsewhere for other supplies and services. See *generally*, FD at 6,7; Item No. 22, Returned customer questionnaires and Postal Service response letters; Item No. 33, Proposal at 7; Item No. 41, Revised Proposal, at 9. The town has twenty-six businesses and two churches. FD at 6,7; Item No. 18, Post Office Fact Sheet, at 3; Item No. 41, Revised Proposal, at 9; Item No. 42, Revised Post Office Fact Sheet.

The Petitioner's appeal and Participant Statement raise the issue of the effect of closing the West Leyden Post Office upon the West Leyden community. More specifically, Petitioner contends that closing the West Leyden Post Office would hurt the community. The Postal Service is cognizant of the importance of the West Leyden Post Office to members of the community and extensively considered those issues, as reflected in the administrative record. FD at 10-11; Item No. 22, Returned customer questionnaires and Postal Service response letters, at 275, 371; Item No. 23, Customer Questionnaire Analysis, at 3; Item No. 25, Community Meeting Analysis, at 2; Item No. 33, Proposal, at 7, 8; Item No. 38, Customer Comments and USPS Response Letters, at 85, 94, 99, 101, 102, 103, 104, 107, 113, 115, 116, 117 ; Item No. 40, Analysis of Comments, at 5; Item No. 41, Revised Proposal, at 9, 10, 11.

For example, a number of customers had commented that the community might lose its identity in the absence of the West Leyden Post Office. In response, the Postal

Service explained that a community's identity derives from the interest and vitality of its residents and their use of its name; and that West Leyden customers would be able to retain the West Leyden name and ZIP Code in addresses. FD at 10; Item No. 23, Customer Questionnaire Analysis, at 3; Item No. 25, Community Meeting Analysis, at 2; Item No. 33, Proposal, at 7; Item No. 38, Customer Comments and USPS Response Letters, at 85, 99, 102, 103, 107, 113, 115, 116, 117; Item No. 40, Analysis of Comments, at 5; Item No. 41, Revised Proposal, at 9. Only customers who elect to close their P.O. Boxes will be required to change their address. FD at 5; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 324, 329, 356, 369; Item No. 23, Customer Questionnaire Analysis, at 2; Item No. 33, Proposal, at 3, 4; Item No. 40, Analysis of Comments, at 2. Item No. 41, Revised Proposal, 4, 8. Additionally, the Postal Service noted that residents may continue to meet informally, socialize, and share information at other businesses, churches, and residences in town, and the bulletin board—once at the West Leyden Post Office—can be placed elsewhere, including at the Boonville Post Office. FD at 10; Item No. 22, Returned customer questionnaires and Postal Service response letters, at 275, 371; Item No. 23, Customer Questionnaire Analysis, at 3; Item No. 33, Proposal, at 7; Item No. 38, Customer Comments and USPS Response Letters, at 92, 94, 99, 104, 113; Item No. 40, Analysis of Comments, at 5; Item No. 41, Revised Proposal, at 9.

Nonetheless, the Postal Service determined that its customers could continue to receive effective postal services elsewhere. Communities generally require regular and effective postal services and these will continue to be provided to the West Leyden community. Rural route service is expected to be able to handle any future growth in the community. FD at 4, 10; Item No. 33, Proposal, at 7; Item No. 41, Revised Proposal, at 7, 9. In addition, the Postal Service has concluded that nonpostal services

provided by the West Leyden Post Office can be provided by the Boonville Post Office. Government forms usually provided by the Post Office are also available by contacting local government agencies. FD at 10; Item No. 33, Proposal, at 7; Item No. 41, Revised Proposal, at 9. Personnel at the Boonville Post Office will provide courteous and helpful service, as well as special assistance as needed. FD at 5, 7; Item No. 22, Returned Optional Comment Forms and USPS Response letters, at 275, 352, 375; Item. No. 23, Customer Questionnaire Analysis, at 2; Item No. 33, Proposal, at 2, 3; Item No. 38, Customer Comments and USPS Response Letters, 101, 115, 116; Item No. 40, Analysis of Comments, at 4; Item No. 41, Revised Proposal, at 3.

Thus, the Postal Service has met its burden, as set forth in 39 U.S.C. § 404(d)(2)(A)(i), by considering the effect of closing the West Leyden Post Office on the community served by the West Leyden Post Office.

Economic Savings

Postal officials also properly considered the economic savings that would result from the proposed closing, as provided under 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service estimates that rural route service would cost the Postal Service substantially less than maintaining the West Leyden Post Office and would still provide regular and effective service. Item No. 21, Letter to Postal Customer, at 1. The estimated annual savings associated with discontinuing the West Leyden Post Office are \$40,882 (\$58,981 in annual costs, less \$18,099 in costs for replacement service). FD at 11, 12; Item No. 29, Proposal Checklist, at 2; Item No. 33, Proposal, at 8; Item No. 41, Revised Proposal, at 11. Economic factors are one of several factors that the Postal Service considered, and economic savings have been calculated as required for discontinuance studies, which is noted throughout the administrative record and consistent with the

mandate in 39 U.S.C. § 404(d)(2)(A)(iv). FD at 11, 12; Item No. 29, Proposal Checklist, at 2; Item No. 33, Proposal, at 8; Item No. 41, Revised Proposal, at 11.

The Petitioner disputes the Postal Service's calculation of economic savings expected to result from discontinuing the West Leyden Post Office, noting that the estimated annual savings (\$40,882) is based on the salary of a postmaster, not the salary of the currently employed individual who does not receive benefits. See Participant Statement. Petitioner also disputes the Postal Service's calculation of costs for replacement service, noting that it does not take into consideration the additional cost of the increased rural delivery in West Leyden. Id. However, the economic savings calculation conducted as a part of a discontinuance study is forward-looking; that the Postal Service may have paid less in salary and benefits over the past years does not mean that it could count on those savings annually in the future. If the West Leyden Post Office closes, one career slot will be eliminated. If the Post Office is not discontinued, that slot would have been filled with a career employee, and the salary and benefits to be paid would have been the figures shown in the Final Determination for a postmaster. Thus, the Postal Service maintains that it was appropriate to use a career Postmaster's salary in the calculation because the career position would have ultimately been filled if the West Leyden Post Office had not been identified as a candidate for discontinuance. Therefore, the Postal Service will save the salary and benefits of a career Postmaster position.

As for the calculation of costs for replacement service, the Postal Service appropriately applied its standard financial analysis which takes into account the following cost drivers: the number of additional boxes to be added to the rural route (128); the additional annual hours added to the route (453.72); and the per hour cost for the rural carrier (\$39.89). Item No. 17, Rural Route Cost Analysis Form, at 2. The

Postal Service's approach is both defensible and reasonable; moreover it is efficient while adding comparability across discontinuance studies

Petitioner questions the consistency of this proposal with statutory authority in Title 39 providing that no small Post Office may be closed solely for operating at a deficit. Here, however, a variety of factors inform the decision to discontinue the West Leyden Post Office, including a Postmaster vacancy; minimal workload; low and decreasing office revenue;²² the variety of delivery and retail options, including the convenience of rural delivery and retail service;²³ no projected population, residential, commercial, or business growth in the area;²⁴ minimal impact upon the community; and the expected financial savings.²⁵ Pursuant to 39 U.S.C. § 404(d)(2)(A)(iii), the Postal Service in determining whether to close a Post Office must consider whether such closing is consistent with the policy that the Postal Service provide “a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining.” In this case, the Postal Service analyzed, among other factors, the West Leyden's Post Office's workload and revenue. The consideration of an office's workload and revenue is not inconsistent with the policies of Title 39, however, because analysis of workload and revenue does not imply that a small Post Office is operating at a deficit. The Postal Service then analyzed whether a maximum degree of effective and regular postal services to the area and community could be provided with rural delivery service in the absence of the Post Office, and the answer was affirmative.

²² See note 5 and accompanying text.

²³ FD at 2, 4, 6, 8; Item No. 33, Proposal, at 2, 4, 5, 6; Item No. 41, Revised Proposal, at 3, 4, 5, 8.

²⁴ Item No. 16, Community Survey Sheet, at 1.

²⁵ FD at 10, 11; Item No. 18, Post Office Fact Sheet, at 1, 2; Item No. 29, Proposal Checklist, at 2; Item No. 33, Proposal, at 8; Item No. 41, Revised Proposal, at 11; Item 42, Revised Post Office Fact Sheet.

In this case, the Postal Service has determined that rural route service under the administrative responsibility of the Boonville Post Office is the most effective solution for providing regular and effective service to the West Leyden community. FD at 12. The Postal Service's estimates are supported by record evidence, in accordance with the Postal Service's statutory obligations. Thus, the Postal Service has considered the economic savings to the Postal Service resulting from such a closing, consistent with its statutory obligations and Commission precedent. See 39 U.S.C. § 404(d)(2)(A)(iv).

Other Matters: Procedural Issues

Petitioner also alleges that the Postal Service's decision to close the West Leyden Post Office is arbitrary and capricious, noting that its responses to community members give the impression that the letters were generated by a computer program and therefore did not take into account the nuances of the various community members' concerns. See Participant Statement. However, the administrative record reflects that while some answers may be "standard" to the extent that these questions have been posed in other discontinuance dockets, the answers provided are responsive to the concerns raised. Moreover, the Postal Service notes that the record in this proceeding is very extensive, consisting of hundreds of customer comments and the Postal Service's responses to customer feedback. Under these circumstances, criticism about the Postal Service's failure to make an independent inquiry is simply not supported.

Conclusion

As reflected throughout the administrative record, the Postal Service has followed the proper procedures and carefully considered the effect of closing the West Leyden Post Office on the provision of postal services and on the West Leyden community, as well as the economic savings that would result from the proposed

closing, the effect on postal employees, and other factors consistent with the mandate of 39 U.S.C. § 404(d)(2)(A).

After taking all factors into consideration, the Postal Service determined that the advantages of discontinuance outweigh the disadvantages. In addition, the Postal Service concluded that after the discontinuance, the Postal Service will continue to provide effective and regular service to West Leyden customers. FD at 12. The Postal Service respectfully submits that this conclusion is consistent with and supported by the administrative record and is in accord with the policies stated in 39 U.S.C. § 404(d)(2)(A). The Postal Service's decision to close the West Leyden Post Office should, accordingly, be affirmed.

The Postal Service respectfully requests that the determination to close the West Leyden Post Office be affirmed

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Anthony F. Alverno
Chief Counsel, Global Business & Service
Development

Ana M. Urrechaga
Attorney

475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-1137
(202) 268-6706; Fax -6279
ana.m.urrechaga@usps.gov
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